



Kentucky Board of Medical Licensure Newsletter

Hurstbourne Office Park, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222
Website: kbml.ky.gov

Winter 2009

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Board Adopts Opinion Addressing Collaborative Agreements with ARNP's.

The Board, at its September 2008 meeting, adopted an opinion regarding the standards of acceptable and prevailing medical practice for physicians involved in collaborative agreements with ARNPs. The Kentucky Medical Association, on behalf of its members, asked the Board to issue this opinion in order to provide guidance to any physician who intends to enter or does enter into a collaborative agreement with an ARNP.

The Board issued this opinion pursuant to KRS 311.602, to assist licensees in determining what actions would constitute unacceptable conduct under the provisions of KRS 311.595. The Board decided to publish this opinion because it addresses issues of significant public and medical interest.

This opinion is not a statute or administrative regulation, and does not have the force of law. You may download or view a copy of this opinion by visiting the Board's website, www.kbml.ky.gov.

Tramadol Listed as Schedule IV Controlled Substance in Kentucky

In response to significant concerns raised by healthcare professionals, the Kentucky Cabinet For Health and Family Services, Office of the Inspector General, Division of Audits and Investigations, Drug Enforcement and Professional Practices Branch submitted a request to the Kentucky Legislature to modify regulation 902 KAR 55:030 to add Tramadol to the list of Schedule IV controlled substance products in Kentucky.

The regulation change was adopted and became effective on December 5, 2008. At that time any prescriber without a valid DEA license cannot write or issue a prescription for Tramadol. In addition, any remaining refills on a Tramadol prescription issued by a prescriber without a valid DEA license may not be dispensed.

It is important for all physician assistants to be aware that as of December 5, 2008, they are not able to write prescriptions for Tramadol or Tramadol containing products.

Following are additional actions that should be taken by controlled substance dispensers, distributors and wholesalers, along with the appropriate statutory references.

Controlled substance dispensers must adhere to KRS 218A.200 (7)(b):
"A substance which is added to any schedule of controlled substances and which was not previously listed in any schedule shall be initially inventoried within thirty (30) days of the effective date of the statute or administrative regulation which adds the substance to the provisions of this chapter. Thereafter, the substance shall be included in the inventory required by paragraph (a) of this subsection. "

Controlled substance dispensers must report all dispensing of Tramadol to the Kentucky All Schedule Prescription Electronic Reporting (KASPER) system (KRS 218A.202 (3)). If you have any questions regarding this regulation change, please contact the Drug Enforcement and Professional Practices Branch at (502) 564-7985.

Ear Stapling

In recent months, it has been brought to the Board's attention that various beauty salons throughout the Commonwealth are advertising the availability of "ear stapling."
(continued on Page 3)

Board Actions Report (Actions taken since 10/02/08)

Bashirahmed M. Ameji, M.D., Glenview, IL, License # 22506
Agreed Order entered into 11/20/08.

Rajanbhai R. Amin, M.D., Louisville, KY, License # 19304
Amended Agreed Order entered into 12/05/08.

Ronald D. Bibb, M.D., Danville, KY, License # 31272
Amended Agreed Order of Indefinite Restriction entered into 11/20/08.

Rano. S. Bofill, M.D., Welch, WV, License # 16535
Order of Indefinite Restriction issued 11/14/08, effective 12/20/08.

Gregory L. Brown, M.D., Louisville, KY, License # 20307
Agreed Order of Indefinite Restriction entered into 11/14/08.

Frank A. Burke, M.D., Lexington, KY, License # 26486
Order Terminating Agreed Order issued 12/18/08.

Charles R. Combs, M.D., Lexington, KY, License # 15480
Agreed Order of Indefinite Restriction entered into 10/23/08.

Kent L. Davis, M.D., Paris, KY, License # 20186
Agreed Order entered into 12/18/08.

James Donovitz, M.D., Denton, TX, License # 37155
Agreed Order entered into 12/08/08.

Adam W. Ellis, M.D., Russellville, KY, License # 40994
Agreed Order of Indefinite Restriction entered into 12/18/08.

Jeffrey N. Fadel, M.D., Louisville, KY, License # 22556
Second Amended Agreed Order entered into 11/17/08.

Michael S. Gainey, M.D., Cynthiana, KY, License # 22283
Order Terminating Amended Agreed Order of Indefinite Restriction issued 12/22/08.

Rondal E. Goble, M.D., Lexington, KY, License # 26176
Order Terminating Order of Probation issued 12/18/08.

Husam E. Hamed, M.D., Florence, KY, License # 36543
Second Amended Agreed Order entered into 11/20/08.

Larry J. Hargis, M.D., Oneida, TN, License # 36973
Agreed Order of Indefinite Restriction entered into 12/01/08.

John A. Heidingsfelder, M.D., Utica, KY, License # 26366
Agreed Order of Probation entered into 12/08/08.

Ronald N. Hochman, M.D., Manitou, KY, License # 31831
Agreed Order of Indefinite Restriction entered into 12/01/08.

Kris F. Kline, M.D., Pearland, TX, License # 42249
Agreed Order of Fine entered into 11/19/08.

Todd F. Lackney, M.D., Danville, KY, License # 02678
Order Terminating Agreed Order issued 12/18/08.

Louis A. Leskosky, M.D., Paducah, KY, # 34939
Amended Agreed Order entered into 10/02/08.

John T. Logsdon, M.D., Paducah, KY, License # 25600
Order Terminating Order Reinstating License; Order of Indefinite Restriction issued 11/14/08.

Sean M. Maguire, M.D., Louisville, KY, License # 28821
Amended Agreed Order of Indefinite Restriction entered into 12/18/08.

Efrim C. Moore, M.D., Stone Mountain, GA, License # 30760
Agreed Order of Probation entered into 12/01/08.

Eric A. Norsworthy, M.D., Beaver Dam, KY, License # 20834
On 12/11/08 the Kentucky Court of Appeals overturned an injunction issued by the Jefferson Circuit Court against the Board thus allowing the enforcement of the Board's original Order of Indefinite Restriction filed of record on 08/24/08.

Rickey H. Pack, M.D., Louisville, KY, License # 20442
Order of Revocation/Dismissal of Complaint Without Prejudice issued 12/18/08, effective 12/19/08.

Billy J. Parson, M.D., Somerset, KY, License # 18472
Amended Agreed Order of Indefinite Restriction entered into 11/18/08.

George W. Robertson, M.D., Louisville, KY, License # 20738
Amended Agreed Order entered into 11/20/08.

Mansoor Sheikh, M.D., Bridgeport, CT, License # 34644
Order of Revocation issued 12/18/08, effective 01/21/09.

Darwin P. Whitaker, PA-C, Hazard, KY, License # PA361
Amended Agreed Order of Indefinite Restriction entered into 11/24/08.

Restrictions have also been placed on the following physicians' licenses pending resolution of charges brought against these physicians:

Jack Allen, M.D., Louisville, KY, License # 22210
Complaint and Emergency Order of Suspension issued 11/25/08, effective 11/26/08.

Stephen D. Burton, M.D., Louisville, KY, License # 30716
Complaint and Emergency Order of Suspension issued 12/02/08, effective 12/03/08. Findings of Fact, Conclusions of Law, and Final Order issued 12/19/08 amending the Emergency Order of Suspension filed on 12/02/08.

Michael C. Hess, M.D., Louisville, KY, License # 19773
Findings of Fact, Conclusions of Law and Final Order issued on 10/10/08 amending the Emergency Order of Suspension filed on 09/10/08.

Ear Stapling (Continued from front page)

It is the opinion of the Board that the practice of "ear stapling" – the stapling of the external cartilage of the ear to assist in weight loss, smoking cessation, insomnia and other conditions – falls within the statutory definition of "the practice of medicine," as outlined in KRS 311.550(10). The Board further cautions that it is not aware of any evidence that "ear stapling" has any medically appropriate or effective therapeutic effect on any of these medical conditions.

Renewal of Medical License for 2009

The 2009 annual renewal forms were mailed in December to all physicians holding an active Kentucky medical/osteopathic license. Physicians renewing licenses for 2009 have an opportunity to renew their license on-line at www.kbml.ky.gov. Physicians renewing with a paper application will be charged an additional \$10.00 processing fee. Printable 2009 renewal forms are available on the KBML website at www.kbml.ky.gov.

The \$150.00 renewal fee is due by March 1, 2009. To avoid paying a \$50.00 late fee, paper forms must be postmarked no later than March 1, 2009. Physicians who fail to renew before the April 1, 2009 deadline will automatically become inactive and subsequent practice in Kentucky will be considered the unauthorized practice of medicine or osteopathy. Anyone registering after April 1, 2009 will be imposed an additional \$100.00 penalty fee.

Meeting Dates for 2009

Board

March 19
June 18
September 17
December 17

Inquiry Panel A

February 19
May 21
August 20
November 19

Inquiry Panel B

January 22
April 16
July 16
October 15

Athletic Trainer Council

February 4
May 6
July 5
November 4

Acupuncturist Advisory Committee

March 18
June 17
September 16
December 16

Physician Assistant Advisory Committee

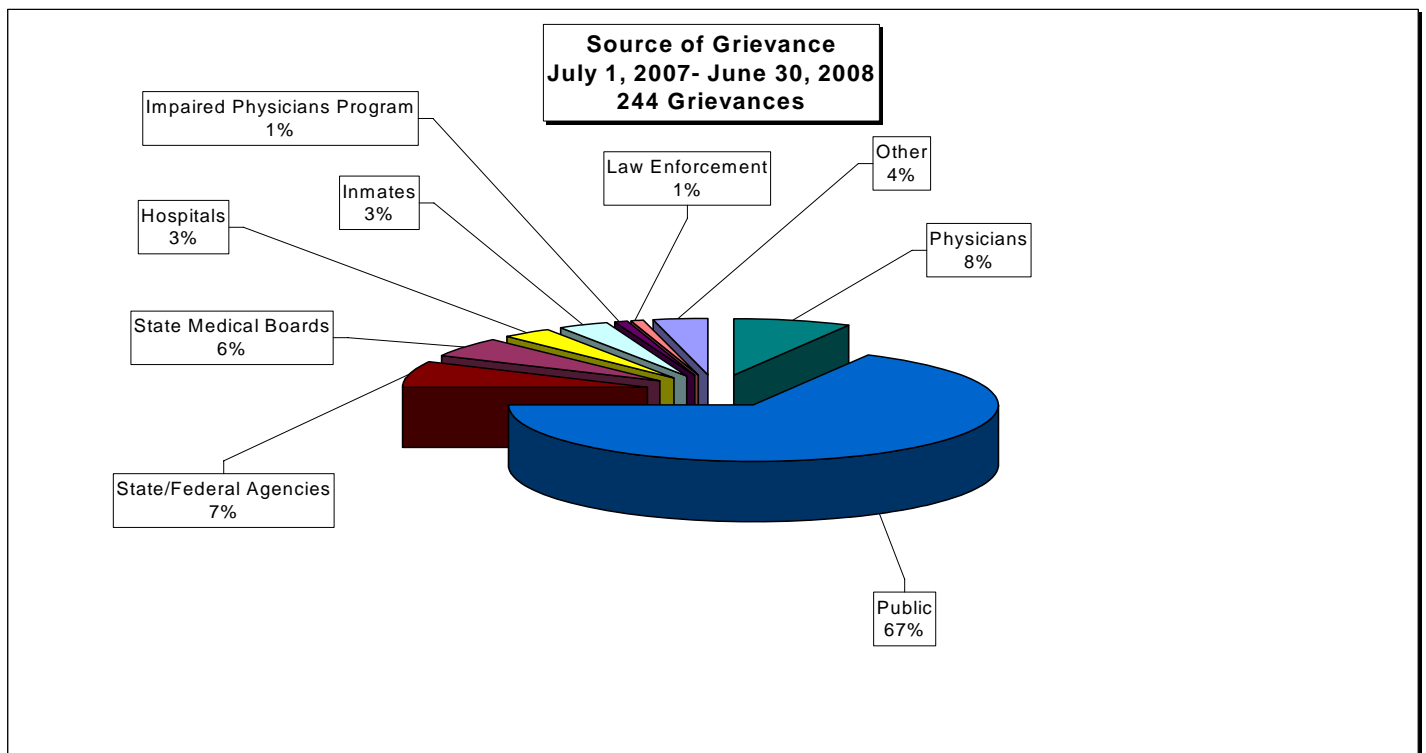
February 5
May 7
August 6
November 4

Surgical Assistant Advisory Committee

February 5
May 8
August 6
November 6

Source of Grievances

The chart below depicts the source of grievances received in the Board's office. During the past fiscal year 244 grievances were filed against physicians practicing in the state.



Kentucky Board of Medical Licensure

Change of Address Notice

Please Note: The information that you provide on this Change of Address Notice will be used to update your profile on the Board's web site at kbml.ky.gov.

(Please Print or Type Information)

Date: _____

KY License Number: _____

Name: _____
(last) (first) (m.i.)

Mailing Address: _____
(street)

(city) (state) (zip)

KY Practice County: _____ **Office Telephone:** _____

Practice Address: _____
(street)

(city) (state) (zip)

E-Mail Address: _____

Kentucky Board of Medical Licensure

Hurstbourne Office Park
310 Whittington Parkway, Suite 1B
Louisville, KY 40222

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